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+Admitted only in Virginia
•Practice Limited to Federal Agencies

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PATENT & TRADEMARK OFFICE 2800

February 4, 2004

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MIKEM@SKGF.COM

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Art Unit 2872

Re: U.S. Non-Provisional Utility Patent Application
Appl. No. 10/688,923; Filed: October 21, 2003
For: **Diffuser Plate and Method of Making Same**
Inventors: Augustyn *et al.*
Our Ref: 1857.1560001

Sir:

The following documents are forwarded herewith for appropriate action by the U.S. Patent and Trademark Office:

1. Information Disclosure Statement;
2. Form PTO-1449 (3 pages) citing 11 documents;
3. Copies of the cited non-patent documents; and
4. One (1) return postcard.

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier. In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned. The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

Michael V. Messinger
Attorney for Applicants
Registration No. 37,575

MVM/LMY:krd
Enclosures

SKGF_DC1:208552.1

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FEB 0 4 2004
PATENT & TRADEMARK OFFICE
JC99

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:		Confirmation No.:	3188
Augustyn *et al.*		Art Unit:	2872
Appl. No.:	10/688,923	Examiner:	*To Be Assigned*
Filed:	October 21, 2003	Atty. Docket:	1857.1560001
For:	**Diffuser Plate and Method of Making Same**		

Information Disclosure Statement

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

Listed on accompanying Form PTO-1449 are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98.

Applicants have listed publication dates on the attached PTO-1449 based on information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the date indicated.

Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application

does not exist. The Examiner is specifically requested not to rely solely on the material submitted herewith.

Applicants have checked the appropriate boxes below.

☐ 1. Statement under 37 C.F.R. 1.704(d). Each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart application and this communication was not received by any individual designated in 37 C.F.R. § 1.56(c) more than thirty days prior to the filing of this information disclosure statement.

☒ 2. Filing under 37 C.F.R. § 1.97(b). This Information Disclosure Statement is being filed within three months of the date of filing of a national application other than a continued prosecution application (CPA), OR within three months of the date of entry of the national stage as set forth in 37 C.F.R. § 1.491 in an international application, OR before the mailing date of a first Office Action on the merits OR before the mailing of a first Office Action after the filing of a request for continued examination under 37 C.F.R. § 1.114. No statement or fee is required.

☐ 3. Filing under 37 C.F.R. § 1.97(c). This Information Disclosure Statement is being filed more than three months after the U.S. filing date AND after the mailing date of the first Office Action on the merits, but before the mailing date of a Final Rejection, or Notice of Allowance, or an action that otherwise closes prosecution in the application.

☐ a. Statement under 37 C.F.R. § 1.97(e)(1). I hereby state that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(1).

□ b. Statement under 37 C.F.R. § 1.97(e)(2). I hereby state that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(2).

□ c. Attached is our PTO-2038 Credit Card Payment Form for $ _____ in payment of the fee under 37 C.F.R. § 1.17(p).

□ 4. Filing under 37 C.F.R. § 1.97(d) This Information Disclosure Statement is being filed more than three months after the U.S. filing date and after the mailing date of a Final Rejection or Notice of Allowance, but before payment of the Issue Fee. Attached is our PTO-2038 Credit Card Payment for $ _____ in payment of the fee under 37 C.F.R. § 1.17(p); in addition:

□ a. Statement under 37 C.F.R. § 1.97(e)(1). I hereby state that each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(1).

□ b. Statement under 37 C.F.R. § 1.97(e)(2). I hereby state that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(2).

□ 5. The document(s) was/were cited in a search report by a foreign patent office in a counterpart foreign application. Submission of an English language version of the search report that indicates the degree of relevance found by the foreign office is provided in satisfaction of the requirement for a concise explanation of relevance. 1138 OG 37, 38.

☐ 6. A concise explanation of the relevance of the non-English language document(s) appears below:

☐ 7. Copies of the documents were cited by or submitted to the Office in an IDS that complies with 37 C.F.R. § 1.98(a)-(c) in Application No. _____, filed _____, which is relied upon for an earlier filing date under 35 U.S.C. § 120. Thus, copies of these documents are not attached. 37 C.F.R. § 1.98(d).

It is respectfully requested that the Examiner initial and return a copy of the enclosed PTO-1449, and indicate in the official file wrapper of this patent application that the documents have been considered.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

Michael V. Messinger
Attorney for Applicants
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Date: 2/4/04

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FORM PTO-1449

INFORMATION DISCLOSURE STATEMENT

ATTY. DOCKET NO.	APPLICATION NO.
1857.1560001	10/688,923
APPLICANT: Augustyn *et al.*	
FILING DATE: October 21, 2003	GROUP: 2872

U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	FILING DATE
	AA1	US 2003/0081316 A1	05/2003	Goldberg *et al.*			09/17/2001
	AB1	6,392,792 B1	05/2002	Naulleau			
	AC1						
	AD1						
	AE1						
	AF1						
	AG1						
	AH1						
	AI1						
	AJ1						
	AK1						

FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION
	AL1						Yes No
	AM1						Yes No
	AN1						Yes No
	AO1						Yes No
	AP1						Yes No

OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

	AR	1	Bjorkholm, J. E., "EUV Lithography - The Successor to Optical Lithography?", Intel Technology Journal Q3'98, 1998, pp. 1-8.
	AS	1	Goldberg, K.A., *et al.*, "Extreme ultraviolet interferometry: at-wavelength testing of optics for lithography," The Advanced Light Source, 1998, *at* http://www-als.lbl.gov/als/compendium/AbstractManager/uploads/ACF4B6D.pdf, 4 pages.
	AT	1	Goldberg, K.A., *et al.*, "Extreme ultraviolet interferometry: measuring EUV optical systems with sub-Å accuracy," The Advanced Light Source, 2001, *at* http://www-als.lbl.gov/als/compendium/AbstractManager/uploads/01125.pdf, 3 pages.

EXAMINER	DATE CONSIDERED

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.

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FORM PTO-1449 INFORMATION DISCLOSURE STATEMENT	ATTY. DOCKET NO. 1857.1560001	APPLICATION NO. 10/688,923
	APPLICANT Augustyn *et al.*	
	FILING DATE October 21, 2003	GROUP 2872

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EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	FILING DATE
	AA2						
	AB2						
	AC2						
	AD2						
	AE2						
	AF2						
	AG2						
	AH2						
	AI2						
	AJ2						
	AK2						

FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION
	AL2						Yes No
	AM2						Yes No
	AN2						Yes No
	AO2						Yes No
	AP2						Yes No

OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

	AR	2	Kolb, R., "EUV Lithography Making Possible Next Generation of Semiconductors," Sciencebeat [online], June 5, 2001, *at* http://www.lbl.gov/Science-Articles/Archive/euv_milestone.html (visited January 12, 2003), 4 pages.
	AS	2	Lee, S. H., *High Accuracy EUV Interferometry, at* http://buffy.eecs.berkeley.edu/IRO/Summary/99abstracts/shlee.1.html (visited January 12, 2003), 1 page.
	AT	2	Mansuripur, M., "The Ronchi Test," MM Research, Inc., *at* http://www.mmresearch.com/articles/article1/ (visited January 9, 2003), 12 pages (also published in *Optics & Photonics News*, July 1997, pp.42-46).

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FORM PTO-1449 INFORMATION DISCLOSURE STATEMENT	ATTY. DOCKET NO. 1857.1560001	APPLICATION NO. 10/688,923
	APPLICANT Augustyn *et al.*	
	FILING DATE October 21, 2003	GROUP 2872

U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	FILING DATE
	AA3						
	AB3						
	AC3						
	AD3						
	AE3						
	AF3						
	AG3						
	AH3						
	AI3						
	AJ3						
	AK3						

FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION
	AL3						Yes No
	AM3						Yes No
	AN3						Yes No
	AO3						Yes No
	AP3						Yes No

OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

	AR	3	Naulleau, P. P., *et al.*, "Fabrication of high-efficiency multilayer-coated binary blazed gratings in the EUV regime," *Optics Communications*, Vol. 200, December 15, 2001, Elsevier Science B.V., pp. 27-34.
	AS	3	*Measurement Science in the Extreme Ultraviolet: Testing Advance Optics for Printing Integrated Circuits*, at http://www-.als.lbl.gov/als/actrep/FileH.pdf (visited January 12, 2003), 2 pages.
	AT	3	Wyant, J. C., "White Light Extended Source Shearing Interferometer," *Applied Optics*, Vol. 13, No. 1, January 1974, pp. 200-202.

EXAMINER	DATE CONSIDERED

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.